

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA

BRIAN HAYHURST, individually and on
behalf of all others similarly situated,

Plaintiff,

Case No. 1:19-cv-00657

vs.

KELLER WILLIAMS REALTY, INC. a
Texas corporation,

Defendant

DEFENDANT'S MOTION TO DISMISS PLAINTIFF'S
AMENDED COMPLAINT

Defendant, Keller Williams Realty, Inc. ("KWRI"), by and through its undersigned counsel, and pursuant to Rule 12(b)(6) of Federal Rules of Civil Procedure, moves to dismiss Plaintiff Brian Hayhurst's Amended Class Action Complaint (the "Complaint"). As set forth more particularly in the memorandum of law filed contemporaneously with this motion, the Complaint fails to state a claim upon which relief can be granted and should be dismissed pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

WHEREFORE, KWRI respectfully requests that this Court dismiss Plaintiff's Complaint, with prejudice, and grant any other appropriate relief in its favor that this Court finds equitable and just.

This the 4th day of October, 2019.

/s/ Caren D. Enloe

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing document was served electronically upon the following:

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This the 4th day of October, 2019.

/s/ Caren D. Enloe

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